

MINUTES OF THE
JOINT HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE
Thursday, February 1, 2007 - 2:00 p.m.
Room W125, West Office Building, State Capitol Complex

Member Present: Sen. Allen Christensen, Committee Co-Chair
Rep. Merlynn Newbold, Committee Co-Chair
Sen. Chris Buttars
Sen. Peter Knudson
Sen. Ross Romero
Rep. David Litvack
Rep. Roz McGee
Rep. Paul Neuenschwander
Rep. Steve Urquhart
Rep. Paul Ray
Rep. Ken Sumsion

Staff Present: William Greer, Fiscal Analyst
Debbie Headden, Fiscal Analyst
Norda Shepard

Public Speakers Present: Lisa Michele Church, Executive Director, Department of Human Services
Mark Ward, Deputy Director, Department of Human Services
Dr. David N. Sundwall, Executive Director, Department of Health
Dr. George Delavan, Director, Community and Family Health Services
Michael Hales, Director, Division of Health Care Financing

A list of visitors and a copy of handouts are filed with the committee minutes.

The meeting was called to order by Co-Chair Christensen at 2:25 p.m. He said that if the subcommittee could conclude their business today, there would be no meeting on Monday.

Priority lists for the Department of Health and the Department of Human Services, a list of Human Services bills with fiscal impact, Health Department motions, Statue for Local and Private Providers, copies of a letter from George L. White, Jr., Chairman of the Utah Health Advisory Council, and a handout from the American Cancer Society regarding cervical cancer early detection were distributed.

Analyst Debbie Headden explained the priority lists had been ranked by the votes from subcommittee members on a weighted average. She said those in bold type and with an asterisk tied in the rankings. Co-Chair Christensen suggested that everyone take five minutes to look over the lists before discussions began.

Sen. Butters asked if it would be possible to take DORA off this budget and have it considered in Criminal Justice. Co-Chair Christensen said when the budget is taken to Executive Appropriations it would be suggested that both DORA and Drug Courts be taken off this budget. Some suggested it may be wise to meet on Monday in order to produce a good work product.

Department of Human Services Motions

MOTION: Rep. Newbold moved to move DCFS David C. Lawsuit Court Monitor from #9 to #1.

SUBSTITUTE MOTION: Sen. Buttars moved to move DCFS Additional Caseworkers from #7 to #2.

Analyst Headden explained that if funding for the additional caseworkers is appropriated, DCFS could use Internal savings to fund the Davis C. Court Monitor.

The substitute motion failed.

The original motion passed unanimously with Rep. Ray absent at the time of the vote.

Mark Ward, Deputy Director, Department of Human Services, explained the David C. monitor could be funded with non-lapsing funds. A discussion was held concerning provider increases. Lisa-Michele Church, Executive Director, Department of Human Services, explained providers provide services in mental health, substance abuse, aging, child and family services, and people with disabilities. She said there are about 800 separate contracts. Co-Chair Christensen explained that this subcommittee does not set these rates but can make recommendations to Executive Appropriations.

MOTION: Rep. Neuenschwander moved to recommend to Executive Appropriations that whatever is allocated for provider increases be doubled. The motion passed unanimously with Rep. Ray absent at the time of the vote.

MOTION: Rep. Litvack moved to move DAAS Medicaid Nursing Home Placement Prevention Waiver ahead of Meals on Wheels. The motion passed unanimously with Rep. Ray absent at the time of the vote.

MOTION: Co-Chair Christensen moved to take DSPD Supported Employment Pilot from #6 to #20. The motion failed, with Co-Chair Christensen voting in favor.

Sen. Butters said there will be a crisis with providers leaving the system if we don't fund local and private operating expenses. Ms. Church said the rate structure had not been looked at in 10 years. Providers can't hire and keep staff and are taking clients from other states who pay more, leaving less room for Utah clients.

MOTION: Sen. Butters moved to move Local and Private Provider Operating Expenses from #15 up to #7 above meals-on-wheels. After committee discussion, the motion was withdrawn.

Ms. Church said providers have received cost of living increases for salaries but not for operating expenses.

MOTION: Rep. Sumsion moved to combine Local & Private Provider COLAs and Local and Private Provider Operating Expense and recommend a 4% COLA for compensation. The motion passed unanimously.

Rep. Litvack said he would like to have a report back on how this funding is used and broken down between salary and operating expenses, perhaps with intent language directing the Department to do this.

MOTION: Rep. Litvack moved to increase funding for the Disabilities Waiting List to \$2.5 million. The motion passed with Co-Chairs Christensen and Newbold voting in opposition.

Rep. McGee asked if the subcommittee was going to prioritize bills needing appropriations. Rep. Urquhart said it wasn't known yet how much was set aside for fiscal notes but that information may be available on Monday.

Health Department Motions

Rep. Livack asked if Rep. Urquhart's bill, HB 312, Funding for Department of Health Early Intervention Programs, passed would take Early Intervention/Baby Watch Program Caseload Growth and Early Intervention/Baby Watch Program Provider Increase off the list. Rep. Urquhart said since it is not known if this bill will pass this should not be removed or early intervention may not get funding.

Co-Chair Christensen discussed adjusting the Base Budget Medicaid Inflation Funding and use S.B. 42 to reduce the budget.

MOTION: Co-Chair Christensen moved to have the FMAP Rate change show up on the priority list and have

S.B. 42, Preferred Prescription Drug List, as #2 priority. The motion passed unanimously with Sen. Buttars absent at the time of the vote.

MOTION: Rep. Ray moved to combine Immunization Vaccine Funding, #22, with #11, Immunization Vaccine Funding at \$1 million. The motion passed with Rep. Urquhart voting in opposition.

Dr. George Delavan, Director, Division of Community and Family Health Services said that \$1 million would cover the uninsured children with current vaccines but would not cover the new cancer HPV vaccine. He noted that some private insurers are covering HPV and some are not.

A discussion was held concerning making benefits less in the CHIP program and thereby increasing enrollment. Dr. David Sundwall, Executive Director, Department of Health said this is being considered in a bill sponsored by Rep. Dunnigan. Michael Hales, Director, Division of Health Care Financing, said benefits in CHIP have remained the same for many years. He said the division is working with actuaries to determine cuts in benefits, increasing co-pays and bench marking it to PEHP benefits. This could allow additional enrollment.

MOTION: Rep. Newbold moved to list together starting with Medicaid Provider Rates (Dental) #3; Medicaid Other Provider Inflation #4, Early Intervention/Baby Watch Program Provider Increase #5, and Local Health Department Provider Increase (Compensation) # 6 and consider as provider compensation. The motion passed unanimously with Rep. Ray absent at the time of the vote.

MOTION: Co-Chair Christensen moved to approve Intent Language instruction that 50% of the savings resulting from the Preferred Drug List be paid to dental providers. He declared a conflict of interest. The motion failed in the house.

MOTION: Rep. Sumsion moved to place Cervical Cancer/Breast Cancer Screening at position 12. The motion failed in both bodies.

Other Committee Business

Co-chair Christensen indicated that a meeting would be held on Monday. He encouraged subcommittee members to do their homework over the weekend and come prepared to finalized committee business.

MOTION: Sen. Buttars moved to adjourn. The motion passed unanimously.

Co-Chair adjourned the meeting at 4:50 p.m.

Minutes recorded by Norda Shepard, Secretary

Sen. Allen Christensen, Committee Co-Chair

Rep. Merlynn T. Newbold, Committee Co-Chair